



## POSITION STATEMENT

### ENSURING A STRONG HIGH-TECH WORKFORCE THROUGH EDUCATIONAL AND EMPLOYMENT-BASED VISA REFORM

*Adopted by the IEEE-USA  
Board of Directors (3 Nov. 2021)*

American immigrant and non-immigrant programs urgently need balanced reforms to attract and retain highly skilled foreign professionals to augment U. S. labor market demands. Market needs cannot be met solely through enhanced education and training opportunities for American workers. Balanced reforms are critical for U.S. employers and U.S. workers to successfully drive and lead highly competitive and growing knowledge based, technology-driven global markets.

Instead of perpetuating an unhealthy dependence on temporary visa programs, IEEE-USA urges Congress to prioritize a permanent immigration program for professionals in science, technology, engineering, and math (STEM) fields as part of comprehensive immigration reform. Priorities for reform should include:

#### **1) Improve our merit-based permanent immigration program so that it:**

- Streamlines and improves the Green Card application process and transparency to favor highly skilled foreign workers with advanced (post-secondary) STEM degrees as well as those with vocational training or considerable experience in high-demand technical and skilled trades, especially those associated with advanced electrical/electronic/communication research and/or advanced manufacturing.
- Ensures that U.S. and foreign workers' positions complement each other and are treated fairly by requiring participating employers to make specific and documented efforts to: (a) recruit U.S. workers initially; (b) provide a stable, long-term opportunity for hired foreign workers; and c) pay visa holders fair market-based wages and benefits.
- Provides a clear and swift path for lawful permanent residency (aka Green Card) and citizenship.
- Does not restrict or place limits (quotas) on the number of foreign workers from specific countries.
- Advances towards a scoring system with an efficient approval process and transparent scoring criteria that favors those with high scores in the majority, but not necessarily all, of the following:

- Advanced (post-secondary) STEM degrees from U.S or foreign institutions accredited by ABET or signatories of the Washington Accord and those meeting the criteria to participate in the National Science Foundation (NSF) and other U.S Government Departments' grant programs.
- Effective English language communication skills, both verbal and written.
- Employment experience in high demand or emerging technical fields.
- Job offers from U.S. based companies that do not adversely affect the wages and working conditions of American workers and American STEM graduates

**2) Make student visas dual intent such that the visas:**

- Allow qualified foreign students who graduate from accredited U.S. educational institutions with advanced (post-secondary) degrees in STEM fields and with job offers with market-based wages and benefits from U.S. employers to immediately engage in temporary work and to apply for lawful permanent residency.
- Incorporate a sufficient time, at least one year, between graduation and “out-of-status” while actively seeking employment.
- Confirmation of continued eligibility to retain the visa and a background check must be conducted before issuance of a Permanent Resident Card (Green Card)
- Allow those applying for lawful permanent residency to work during the application process via an Employment Authorization Document (EAD) to normalize their legal status after graduation.

**3) Reform the current H-1B temporary work visa program and reestablish the original program guidelines and regulations by:**

- Addressing the needs for short-term increased demand for foreign workers.
- Establishing strong and enforced safeguards to protect foreign and American workers through consistent wage and benefit protections.
- Banning the use of visas for outsourcing.
- Creating caps on the numbers of visas used by any one company.
- Improving program transparency in terms of process and status.
- Instituting disincentives for companies that use temporary visa programs excessively rather than hiring American workers or highly skilled permanent immigrants.

*This statement was developed by the IEEE-USA Government Relations Council and represents the considered judgment of a group of U.S. IEEE members with expertise in the subject field. IEEE-USA advances the public good and promotes the careers and public policy interests of the nearly 150,000 engineering, computing and allied professionals who are U.S. members of the IEEE. The positions taken by IEEE-USA do not necessarily reflect the views of IEEE, or its other organizational units.*